

MINUTES OF THE PLANNING COMMISSION MEETING OF OCTOBER 5, 2005, AT 6:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS.

Members Present: Jim Keane, Geoff Armstrong, Jerri Harwell, Tom Bowen, JoAnn Frost, Doug Haymore

Staff Present: Kevin Smith, Community Development Director; Michael Black, City Planner; Mike Dolan, Code Enforcement Officer; Brad Gilson, City Engineer; Sherry McConkey, Deputy City Recorder; Shane Topham, City Attorney

Planning Commissioners Excused: Sue Ryser

Others Present: Robert Arrington, Mike Manning, John Liljenquest, Michael Liljenquist, Chad Liljenquist, Byron DeStigter, Alan Shurtliff,

1.0 Public Comment

- 1.1 Chair Bowen opened the public comment portion of the meeting and hearing no requests from the public he closed the public comment portion with no comments offered.

6:01:01 PM

2.0 Mountain Springs Community Church – 7136 South 1700 East - Public Hearing

- 2.1 City Planner Michael Black discussed the proposed site plan and the previous improvements made to the property by the Mountain Springs Community Church. Staff has recommended approval based on the findings and conditions listed in the staff report, which are:

Findings:

- 1.) The proposed use, at the proposed location, is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood and the community; and
- 2.) The proposed use will not, under the circumstances of this particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
- 3.) The proposed use will comply with the regulations and conditions specified in this title for such use.
- 4.) The application complies with the provisions governing the proposed development in the R-1-8 zone as found in Chapter 19.26 of the Cottonwood Heights Code of Ordinance.

Conditions:

1. Lighting for the site must be controlled to ensure that any pollution emitting from Mountain Springs Community Church light fixtures will be minimal or non-existent on adjacent residential lots.
2. All development, including landscaping, must take place, and be inspected, before a final occupancy permit is issued for the new addition to the church.

3. Architecture of the new addition must match the existing building in design, colors and materials.
 4. The site plan must be updated to show Cottonwood Heights as the responsible municipality.
 5. Detail on item ⑤ must be shown on plans. Particularly, the elevation of the new fence.
- 2.2 Byron DeStigter, Mountain Springs Community Church, was in attendance to answer questions from the Commission. Mr. Destigter stated that the main goal of the renovation is to make the church more ADA accessible.
- 2.3 Chair Bowen opened the public hearing portion of the meeting.
- 2.4 After calling for public comment, and none being offered, Chair Bowen closed the public hearing portion of the meeting.
- 2.5 The Planning Commission discussed the item between themselves in public.
- 2.6 **MOTION:** Commissioner Frost moved to approve the Conditional Use Permit for Mountain Springs Community Church, 7136 South 1700 East. Commissioner Frost motioned that the Planning Commission recommend approval based on the findings of staff and subject to the conditions of the October 5, 2005 Planning Commission Staff Report listed below:

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- 1.) The proposed use, at the proposed location, is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood and the community; and
- 2.) The proposed use will not, under the circumstances of this particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
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The motion was seconded by Geoff Armstrong and carried for approval by a 100% voice vote.

3.0 Park Centre V – Fort Union and Park Center Drive - Planning Commission Design Review

- 3.1 Mr. Black gave an overview of the proposed project. He discussed the location of the buildings on the site, landscaping and parking, noting that Brad Gilson would discuss traffic issues. Mr. Black stated that he would just like to bring the item before the Planning Commission to receive feedback on the developer's concept for a commercial site. The items discussed in the Planning Commission meeting should be limited to parking, site locations for buildings, traffic accesses, and possible improvements in landscaping as these were the only items presented by the developer. Mr. Black pointed out that this is a design review of the proposed project and entitlement cannot be granted at this level of review. Entitlements for a project of this nature would come with a Conditional Use approval, which the applicant has not yet applied for.
- 3.2 Mr. Black discussed the landscaping design in the parking lot. The City Code states that wherever there are ten parking spaces, there must be a landscaped parking island. He stated that the developer disagrees with this requirement, but Staff stated that the landscaped parking islands as required by Code. Mr. Black also discussed the locations of the buildings and suggested that a position closer to Fort Union Blvd. would be preferred by staff for aesthetic purposes and he reminded the Planning Commission that this development is in the Gateway Overlay District. Mr. Black then discussed possible options for landscaping the on site canal that is planned to be moved.
- 3.3 Brad Gilson gave an overview of his professional concerns with the site traffic issues. He discussed the possible problems a full access onto Fort Union from this project may cause, and the theories behind the developer locating the two additional access points on Park Centre Drive.
- 3.4 Robert Arrington, CLC & Associates, spoke of other traffic features he believes could alleviate concern for a full vehicle access on Fort Union Blvd.
- 3.5 In response to Mr. Arrington's proposed traffic mitigation techniques, Mr. Gilson stated that the Capital Facilities Plan has just been received and the timing of the traffic lights in this area is being reviewed among other things.
- 3.6 Mr. Arrington stated that the proposed placement of the buildings is essential because retailers want the entrances to the stores to be at the busiest intersection. The retailers have stated that they would probably not sign a lease if the buildings were not placed as presented.
- 3.7 Michael Liljenquist, owner of the property, said that traffic studies have been conducted which show that the left turn lane would reduce the amount of traffic on Fort Union. Mr. Liljenquist also discussed moving the canal and making the area more appealing for both retailers and the public.
- 3.8 Chair Bowen stated that this project should follow the code in regards to traffic. He would like to see something unique in this project since it is in the Gateway zone. Chair Bowen advised the applicant he would need a Conditional Use permit and recommended he talk to Michael Black and Brad Gilson about moving that process forward.
- 3.7 The Planning Commission discussed the item among themselves and in front of the public which were present at the meeting.. The Planning Commission made individual statements that were

meant to assist the applicant in determining what feelings the Planning Commission has about variables in the plan which include landscaping, building locations, and traffic access. The issue with parking islands was stated to be a constant factor per the code and was not subject to modification. No motion was made, and no consensus between the Planning Commission was achieved either.

4.0 Check City – Highland Drive and Fort Union Blvd - Architecture Review

4.1 Michael Black gave an overview of the proposed Check City building and explained that the Planning Commission is acting as the Architectural Review Committee (ARC) because there has not yet been a committee appointed yet.

4.2 Alan Shurtliff, Curtis Miner Architecture, spoke of the architecture of this building and distributed a pamphlet showing the design of the building. He pointed out some of the problems they have encountered with the building heights due to onsite billboards owned by other entities. He stated that they have worked to design a building that is pleasing to the eye and one which will enhance the overall look of the community.

4.3 The Planning Commission agreed that the building is pleasing architecturally and had no comments for the developer.

5.0 Chapter 19.89 Short Term Rentals - Ordinance Adoption Request

5.1 Kevin Smith, Community Development Director and City Attorney Shane Topham presented the ordinance and gave an overview of the changes that have been made since the last meeting.

5.2 Chair Bowen stated that he would recommend approval of the proposed ordinance with the addition of an amortization policy.

5.3 Mr. Topham reviewed the changes to the ordinance with the Planning Commission.

5.4 **MOTION:** Jerri Harwell moved to recommend adoption of the Short Term Rental Ordinance to the City Council as written. The motion was seconded by Jim Keane and passed on a vote of 4-1 with Doug Haymore voting in opposition.

6.0 Bus Bench Advertising – Planning Commission Discussion

6.1 The Planning Commission tabled discussion on this item until the clean-up of the current benches has been complete.

6.2 Pat Evans, Imaginos, volunteered his services to clean up the bus benches in the city at no charge except for the cost of disposal at the land fill. Mr. Evans stated that there are senior citizens in the community that have a need for the benches and cautioned the Commission in removing and not replacing the benches.

6.3 **MOTION:** Mr. Keane moved to hold the current process for an RFP until the clean-up is complete. The motion was seconded by JoAnn Frost. The motion was approved with Doug Haymore and Jerri Harwell in opposition.

- 6.4 **MOTION:** Commissioner Frost moved to recommend that the City Council remove the existing bus benches in the public right away, other than the benches owned by the City, UTA or any other government agency. The motion was seconded by Jim Keane and passed on a vote of 5 to 1 with Doug Haymore in opposition.

7.0 Other Business-(Reports by Commissioners)

- 7.1 No other business was discussed.

8.0 Community Development Directors Report

- 8.1 Mr. Smith reviewed the proposed monument sign for the City.

MOTION: Chair Bowen made a motion to recommend that the City Council look at acquiring the property located at northeast corner of Highland Drive and Fort Union Blvd, by eminent domain if necessary, for the following reasons: (1) it is in the Gateway Zone; (2) it is an entrance into the community; and (3) the City would have control of the billboards on that property. The motion was seconded by JoAnn Frost and passed unanimously on voice vote.

9.0 Approval of Minutes

- 9.1 **MOTION:** JoAnn Frost moved to approve the September 21, 2005 minutes. The motion was seconded by Jim Keane and passed unanimously on voice vote.

10.0 Adjourn

Jerri Harwell moved to adjourn at 8:22 p.m. The motion was seconded by Geoff Armstrong and unanimously passed on voice vote.

Minutes Accepted: sm
10/119/05